THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 5660 of 2007

Oral order:

The petitioner, a Routine Clerk, while working in the Hyderabad Zone, went on deputation to the Head Office of the respondents-APSRTC. Vide orders dated 18.09.2006, he has been repatriated to Hyderabad Zone. The petitioner made representation dated 18.11.2006 seeking his retention in the Head Office, but the 2nd respondent, namely the Chief Personnel Manager, by reason of the order impugned in this writ petition, while not agreeing for his retention, directed the petitioner to be relieved to enable him to join in the Hyderabad Zone.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The petitioner, who is working in the Hyderabad Zone, admittedly, is on deputation to the Head Office. A reading of the impugned order would disclose that the petitioner has been repatriated to his parent department on the ground that a complaint was received against him. The petitioner, who is on deputation to the Head Office, neither can seek his retention at the Head Office nor can this Court give a direction to the respondents to retain him in the Head Office, more so when the Head Office had dispensed his deputation on a complaint received against him.

The petitioner contends that in pursuance of the impugned order, the respondents are seeking to transfer him to a place away from Hyderabad. Now that the petitioner has been repatriated, it is for the authorities in the Hyderabad Zone, to which Zone the petitioner

belongs, to accommodate him in the available vacancies. Transfer is an incidence of service, and is made keeping in view the administrative needs and exigencies. Now that the petitioner has been repatriated to the Hyderabad Zone, it is for the authorities in the Hyderabad Zone to accommodate him the existing vacancies, but certainly no direction can be given by this Court directing the respondents to retain him at Hyderabad in the Hyderabad Zone.

There is no merit in the writ petition, and the same is accordingly dismissed. No costs.

N.V. RAMANA, J.

Dated: 22nd March, 2007.
KSR